

EXHIBIT K

IN THE U.S. BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re

SARAH HOOVER,

Debtor.

Case No. 19-42890-MJH

Adv No. 20-04002-MJH

Chapter 13

SARAH HOOVER,

Plaintiff,

v.

QUALITY LOAN SERVICE CORPORATION
OF WASHINGTON, PHH MORTGAGE
CORPORATION DBA PHH MORTGAGE
SERVICES, HSBC BANK USA, NA as Trustee
of the Fieldstone Mortgage investment Trust,
Series 2006-2; NEWREZ, LLC, IH6
PROPERTY WASHINGTON, LP, DBA
INVITATION HOMES,

Defendants.

IH6 PROPERTY WASHINGTON, LP'S
RESPONSE TO PLAINTIFF'S FIRST SET
OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION

Defendant IH6 Property Washington, LP ("IH6") submits the following objections and responses to Plaintiff's First set of Interrogatories and Requests for Production.

General Objections

IH6 makes the following general objections, each of which is incorporated into IH6's specific objections below.

1 1. IH6 objects to the Requests to the extent they seek to impose obligations on IH6
2 beyond those otherwise imposed or recognized under the Civil Rules and local rules.

3 2. By responding to the Requests, IH6 does not admit that discovery requested—or
4 provided and produced—are relevant to the subject matter of this litigation or reasonably
5 calculated to lead to the discovery of admissible evidence.

6 3. IH6 objects to the Requests to the extent they seek production of information of
7 documents that are protected from disclosure or otherwise covered by or under the attorney-
8 client privilege, the work-product doctrine or any other applicable privilege, immunity or
9 protection. IH6 hereby asserts all such privileges, immunities, and protections and such
10 documents will not be produced.
11

12 4. IH6 objects to the Requests to the extent they are vague, overbroad, unduly
13 burdensome or otherwise seek information or documents that are neither relevant to this action
14 nor reasonably calculated to lead to the discovery of admissible evidence. IH6 objects to the
15 Requests to the extent they seek information or evidence already in the knowledge, possession,
16 custody or control of Plaintiff or its agents, are otherwise equally accessible to Plaintiff, and/or
17 are already being obtained from other sources.
18

19 5. IH6 objects to the Requests to the extent that they seek to impose upon IH6 the
20 burden and expense of investigating, identifying or verifying information that Plaintiff has
21 equally ability to investigate, identify or verify on its own.
22

23 6. IH6 objects to the Requests to the extent that they would require IH6 to search for
24 and provide information and documents that are not in IH6's possession, custody, or control, or
25 call for IH6's to prepare documents and/or things that do not already exist.
26
27

1
2 Interrogatory No. 2: Identify the dates of communication IH6 had with Sarah Hoover
3 after September 13, 2019.

4 Answer: IH6 objects to this request because it is vague and seeks information already
5 available to Plaintiff Sarah Hoover. Without waiving its objection, IH6 directs Plaintiff to IH6
6 production Bates 001-026.

7
8 Interrogatory No. 3: Identify the dates of communications IH6 had with Defendant QLS
9 concerning the Property after September 13, 2019.

10 Answer: IH6 objects to this request because it is vague, overly broad, unduly
11 burdensome, and seeks privileged communications. Without waiving its objection, IH6 directs
12 Plaintiff to QLS's response to Interrogatory No. 13 and its document production.

13 Interrogatory No. 4: Identify the dates of communication IH6 had with Defendant PHH
14 concerning the Property and/or Plaintiff after September 13, 2019.

15 Answer: IH6 objects to this request because it is overly broad, vague as to "documents",
16 not reasonably limited in time or subject matter, not reasonably calculated to lead to discoverable
17 information, and overly burdensome. Without waiving its objections, IH6 is not aware of any
18 communications with PHH before the date IH6's motion to reopen was filed.

19
20 Interrogatory No. 5: Identify the number of properties IH6 has purchased at Washington
21 State foreclosure sales in 2019.

22 Answer: IH6 objects to this Interrogatory because it is vague and/or ambiguous as to the
23 term "purchased" and "foreclosure sales". IH6 also objects because the Interrogatory is overly
24 burdensome, requests information that is outside the scope of discovery, and requests
25
26
27

1 information that is not readily ascertainable. Without waiving its objection, IH6 responds that it
2 purchased 14 properties in nonjudicial foreclosure sales in Washington in 2019.

3 Interrogatory No. 6: Identify the number of properties IH6 has purchased at Washington
4 State foreclosure sales year to date in 2020.

5 Answer: IH6 objects to this Interrogatory because it is vague and/or ambiguous as to the
6 term “purchased” and “foreclosure sales”. IH6 also objects because the Interrogatory is overly
7 burdensome, requests information that is outside the scope of discovery, and requests
8 information that is not readily ascertainable. Without waiving its objection, IH6 answers that it
9 has not purchased any properties at a foreclosure sale in Washington in 2020.
10

11 Interrogatory No. 7: Identify any actions IH6 took after learning about the bankruptcy
12 filed by Sarah Hoover.

13 Answer: IH6 objects to this Interrogatory because it is vague as to what “any action”
14 means, it is overly broad, outside the scope of discoverable information, and overly burdensome
15 to list every action IH6 took after learning about the bankruptcy filed by Sarah Hoover.
16

17 Interrogatory No. 8: State the name(s) and address(es) of Your liability insurer(s) for the
18 last three years and the dates of coverage, type, and policy number(s) of each liability insurance
19 policy, and Identify and Describe each claim made in the last two years under each such policy,
20 including the date of claim, claim number, the subject of the claim, the status of the claim, the
21 resolution of the claim, and any amount paid under each policy.

22 Answer: IH6 objects to this Interrogatory on the grounds that it is overly broad, vague
23 and ambiguous; it is not reasonably limited in scope by time or subject matter; and it seeks
24 information not within the scope of discovery. Without waiving its objections, IH6 responds that
25 it does not have an insurance policy that would be liable for a judgment entered in this matter.
26
27

1 Interrogatory No. 9: From 2018-present, identify any other properties you purchased
2 where the sale was rescinded. In your answer, identify the reasons for the rescission.

3 Answer: IH6 objects to this Interrogatory because it is vague as to what is meant by
4 “rescinded.” IH6 also objects because the Interrogatory is overly burdensome, requests
5 information that is outside the scope of discovery, and requests information that is not readily
6 ascertainable with the records. Without waiving its objections, IH6 is not aware of any trustee’s
7 deeds that have been rescinded for any property it has purchased at a nonjudicial foreclosure sale
8 from 2018-present.
9

10 Request for Production No. 1: Produce all documents in your files that memorialize,
11 document, or contain communications regarding the Property up until the date you filed a motion
12 to reopen Ms. Hoover’s bankruptcy case.

13 Response: IH6 objects to this request because it is unnecessarily burdensome and overly
14 broad, it requests confidential and proprietary information, and it requests privileged
15 communication. Without waiving its objections, see IH6 Production Bates Numbers 001-026.
16

17 Request for Production No. 2: Produce all documents that memorialize, document, or
18 contain communication between you and Sarah Hoover (and/or her agents) up until the date you
19 filed a motion to reopen Ms. Hoover’s bankruptcy case.

20 Response: See IH6 Production Bates Numbers 001; 007-014, 025-026.

21 Request for Production No. 3: Produce all documents that memorialize, document, or
22 contain communication between you and PHH up until the date you filed a motion to reopen Ms.
23 Hoover’s bankruptcy case.
24

25 Response: IH6 objects to this request because it is overly broad, vague as to
26 “documents”, not reasonably limited in time or subject matter, not reasonably calculated to lead
27

1 to discoverable information, and overly burdensome. Without waiving its objections, IH6 is not
2 aware of any communications with PHH before the date IH6's motion to reopen was filed.

3 Request for Production No. 5: Produce all documents that memorialize, document, or
4 contain communications between you and QLS up until the date you filed a motion to reopen
5 Ms. Hoover's bankruptcy case.

6 Response: All non-privileged communication between IH6 and QLS in this matter has
7 been disclosed in QLS's production of documents; *see*, QLS response to request for production
8 no. 12.

9
10 Request for Production No. 6: Produce all documents in your possession regarding the
11 Property prior to the purchase at the September 13, 2019 foreclosure sale. [In other words,
12 produce your internal file with respect to the Property as it existed on the morning of September
13 13, 2019].

14 Response: IH6 objects to this request because it is vague, unnecessarily burdensome and
15 overly broad; it requests confidential and proprietary information; and it requests privileged
16 communication. Without waiving its objections, please see IH6's production 001-026.

17
18 Request for Production No. 7: Produce all documents regarding your evaluation of the
19 fair market value of the Property on September 13, 2019.

20 Response: IH6 objects to this request because it is vague, unnecessarily burdensome and
21 overly broad; it requests confidential and proprietary information; and it requests privileged
22 communication. IH6 also objects because the Request is not reasonably calculated to lead to the
23 discovery of relevant information and is outside the scope of discovery.

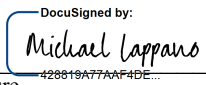
24
25 Request for Production No. 8: Produce any liability insurance policy IH6 has for
26 purchasing properties with title issues at a foreclosure sale.

Response: IH6 objects to this Request as vague, overly broad, and outside the scope of discoverable information. Without waiving its objection, IH6 does not currently have a title insurance policy related to the Property.

VERIFICATION

I, Michael Lappano, am an employee of Invitation Homes, LLC and authorized by Invitation Homes, LLC and IH6 Property Washington, LP to execute this Verification. I have read the foregoing Interrogatories and Requests for Production of Documents and the answers and responses thereto and have reviewed the documents produced, know the contents thereof, and believe the answers to the Interrogatories and responses to the Requests to be true and the documents produced complete.

I certify under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct and that this verification was executed on September 22, 2020 at Renton, WA.

DocuSigned by:

 Signature 428819A77AAAF4DE...
 Michael Lappano
 Print Name _____

CERTIFICATE OF COUNSEL

I, John McIntosh, am counsel for Defendant IH6 Property Washington, LP. I certify that the foregoing Responses to Interrogatories and Requests for Production are made in good faith; that there is a factual and/or legal basis for each of them; and that they are not being interposed for any improper purpose.

ANSWERS AND RESPONSES DATED this 22nd day of September 2020.

/s/John A. McIntosh
 John A. McIntosh, WSBA #43113